

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
MARK NUNEZ; RODNEY BRYE, SHAMEIK SMALLWOOD; TRAVIS
WOODS; RALPH NUNEZ; KEITH BACOTE; JOSE DEGROS;
CHRISTOPHER GRAHAM; SONNY ORTIZ; CLIFFORD SEWELL; and
LESLIE PICKERING,

Plaintiff,

-against-

**11-cv-5845
(LTS)(JCF)**

CITY OF NEW YORK; DORA SCHIRO; FLORENCE FINKLE;
MICHAEL HOURIFIANE; CARMINE LABRUZZO; MARK SCOTT;
LARRY DAVIS, SR.; WARDENS ROSE AGRO, EMMANUEL
BAILEY, ROBERT CRIPPS, EDMUND DUFFY, EVELYN
MIRABAL, KATHLEEN MULVEY, CARLTON NEWTON;
DEPUTY WARDENS RONALD JORGENSEN, ERIC RAMOS;
ASSISTANT DEPUTY WARDEN DANIELLE JOHNSON;
CAPTAINS WILLIAMS, MAJORS, MASSEY, BEHARI (Shield ft
1603), SISTRUNK, ADEBOYE FADINA (Shield #1298), THEO
PRIMM (Shield # 1497), SHERMA DUNBAR (Shield # 717),
HERMAN MEDINA, RICHARD O'CONNOR (Shield #915),
DECLET (Shield # 652), ASHAKI JONES (Shield it 694), JOHN DOE #
14, JOHN DOE #38; CORRECTIONS OFFICERS KIRKLAND,
REGINALD ROTHWELL (Shield # 18101), TODD BRISHINSKY,
SALLEY, SIDNEY DAVIES (Shield # 13893), MALCOLM DAVIS
(Shield # 841), OMAR ALSTON (Shield # 14091), WALTER DEAN
(Shield # 17183), ATEEN WILLIAMS (Shield # 17038), ROBERT
ORLANDI (Shield # 15929), LOUIS LEONARD (Shield # 3479),
CARLOS DIAZ (Shield # 17622), ADRIAN DAVIS (Shield # 12736),
CORY HUGHES (Shield # 18516), SANDY ARKHURST (Shield #
18507), ERIC THOMPSON (Shield # 18488), QUINN (Shield #
18532), REMY (Shield # 17286), JASON SOTO (Shield #18062),
PAUL BUNTON (Shield # 14371), ANTONIO BRAVO (Shield
#17297), CHRISTOPHER SANTIAGO (Shield No. 13724), TUTEIN
(Shield # 1643); ROBERT LAMAR (Shield # 18472), HADDON
BAILLIE (Shield ft 10470), GUTIERREZ (Shield # 11461), AADAM
GLENN (Shield 8 18616), THOMAS, EDWIN SLOLY (Shield #
11678), NEGRON (Shield # 14362), JEAN-SIMON (Shield # 18692),
JAMAR MCMORRIS (Shield # 13605), JAIME ROMAN (Shield #
18735), SELVIN STULTZ (Shield # 9231), SANCHEZ (Shield #
17430), LORENZO (Shield # 18667), BERTRAND (Shield It 18841),
WELDON and JOHN/JANE DOES # 5-7, 11-13, 15-37, 39-59, 65-66,

**ANSWER TO
SECOND
AMENDED
COMPLAINT BY
DEFENDANT
JASON SOTO**

Defendants.

-----X

Defendant C.O. JASON SOTO answers the allegations set forth in the Complaint
("Complaint") as follows:

1. Denies the allegations set forth in paragraph 1 of the Complaint, except admits that plaintiffs purport to proceed as stated therein.

2. Denies the allegations set forth in paragraph 2 of the Complaint, except admits that plaintiffs purport to proceed as stated therein.

3. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 3 of the Complaint.

4. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 4 of the Complaint.

5. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 5 of the Complaint.

6. Denies the allegations set forth in paragraph 6 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

7. Denies the allegations set forth in paragraph 7 of the Complaint, except admits that plaintiffs purport to bring this action as stated therein and that plaintiffs purport to invoke the jurisdiction of this Court as stated therein.

8. Denies the allegations set forth in paragraph 8 of the Complaint, except admits that plaintiffs purport to base venue as stated therein.

9. Denies the allegations set forth in paragraph 9 of the Complaint.

10. Denies the allegations set forth in paragraph 10 of the Complaint, except admits that defendant Soto is a New York City Correction Officer.

11. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 11 of the Complaint.

12. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 12 of the Complaint.

13. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 13 of the Complaint.

14. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 14 of the Complaint.

15. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 15 of the Complaint.

16. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 16 of the Complaint.

17. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 17 of the Complaint.

18. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 18 of the Complaint.

19. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 19 of the Complaint.

20. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 20 of the Complaint.

21. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 21 of the Complaint.

22. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 22 of the Complaint.

23. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 23 of the Complaint.

24. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 24 of the Complaint.

25. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 25 of the Complaint.

26. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 26 of the Complaint.

27. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 27 of the Complaint.

28. Denies the allegations set forth in paragraph 28 of the Complaint, except admits that the City of New York is a municipal corporation.

29. Denies the allegations set forth in paragraph 29 of the Complaint, except admits that purport to bring this action as stated therein.

30. Denies the allegations set forth in paragraph 30 of the Complaint.

31. Denies the allegations set forth in paragraph 31 of the Complaint.

32. Denies the allegations set forth in paragraph 32 of the Complaint.

33. Denies the allegations set forth in paragraph 33 of the Complaint.

34. Denies the allegations set forth in paragraph 34 of the Complaint.

35. Denies the allegations set forth in paragraph 35 of the Complaint.

36. Denies the allegations set forth in paragraph 36 of the Complaint.

37. Denies the allegations set forth in paragraph 37 of the Complaint.

38. Denies the allegations set forth in paragraph 38 of the Complaint.

39. Denies the allegations set forth in paragraph 39 of the Complaint.

40. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 40 of the Complaint.

41. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 41 of the Complaint.

42. Denies the allegations set forth in paragraph 42 of the Complaint.

43. Denies the allegations set forth in paragraph 43 of the Complaint.

44. Denies the allegations set forth in paragraph 44 of the Complaint.

45. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 45 of the Complaint.

46. Denies the allegations set forth in paragraph 46 of the Complaint, except admit that the cases cited therein were filed in the Southern District of New York and were settled by the parties. Pursuant to those settlement agreements, there were no admissions of any wrongdoing, and those settlements are not admissible, nor related, to any other litigation.

47. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 47 of the Complaint.

48. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 48 of the Complaint.

49. Denies the allegations set forth in paragraph 49 of the Complaint.

50. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 50 of the Complaint.

51. Denies the allegations set forth in paragraph 51 of the Complaint.

52. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 52 of the Complaint.

53. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 53 of the Complaint.

54. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 54 of the Complaint.

55. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 55 of the Complaint.

56. Denies the allegations set forth in paragraph 56 of the Complaint.

57. Denies the allegations set forth in paragraph 57 of the Complaint.

58. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 58 of the Complaint.

59. Denies the allegations set forth in paragraph 59 of the Complaint.

60. Denies the allegations set forth in paragraph 60 of the Complaint.

61. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 61 of the Complaint.

62. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 62 of the Complaint.

63. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 63 of the Complaint.

64. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 64 of the Complaint.

65. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 65 of the Complaint.

66. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 66 of the Complaint.

67. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 67 of the Complaint.

68. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 68 of the Complaint.

69. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 69 of the Complaint.

70. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 70 of the Complaint.

71. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 71 of the Complaint.

72. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 72 of the Complaint

73. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 73 of the Complaint

74. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 74 of the Complaint.

75. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 75 of the Complaint.

76. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 76 of the Complaint.

77. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 77 of the Complaint.

78. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 78 of the Complaint.

79. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 79 of the Complaint.

80. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 80 of the Complaint.

81. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 81 of the Complaint.

82. Denies the allegations set forth in paragraph 82 of the Complaint.

83. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 83 of the Complaint.

84. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 84 of the Complaint.

85. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 85 of the Complaint.

86. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 86 of the Complaint.

87. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 87 of the Complaint.

88. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 88 of the Complaint.

89. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 89 of the Complaint.

90. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 90 of the Complaint.

91. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 91 of the Complaint.

92. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 92 of the Complaint.

93. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 93 of the Complaint.

94. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 94 of the Complaint.

95. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 95 of the Complaint.

96. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 96 of the Complaint.

97. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 97 of the Complaint.

98. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 98 of the Complaint.

99. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 99 of the Complaint.

100. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 100 of the Complaint.

101. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 101 of the Complaint.

102. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 102 of the Complaint.

103. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 103 of the Complaint.

104. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 104 of the Complaint.

105. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 105 of the Complaint.

106. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 106 of the Complaint.

107. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 107 of the Complaint.

108. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 108 of the Complaint.

109. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 109 of the Complaint.

110. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 110 of the Complaint.

111. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 111 of the Complaint.

112. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 112 of the Complaint.

113. Denies the allegations set forth in paragraph 113 of the Complaint.

114. Denies the allegations set forth in paragraph 114 of the Complaint.

115. Denies the allegations set forth in paragraph 115 of the Complaint.

116. Denies the allegations set forth in paragraph 116 of the Complaint.

117. Denies the allegations set forth in paragraph 117 of the Complaint.

118. Denies the allegations set forth in paragraph 118 of the Complaint.

119. Denies the allegations set forth in paragraph 119 of the Complaint.

120. Denies the allegations set forth in paragraph 120 of the Complaint.

121. Denies the allegations set forth in paragraph 121 of the Complaint.

122. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 122 of the Complaint.

123. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 123 of the Complaint.

124. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 124 of the Complaint.

125. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 125 of the Complaint.

126. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 126 of the Complaint.

127. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 127 of the Complaint.

128. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 128 of the Complaint.

129. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 129 of the Complaint.

130. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 130 of the Complaint.

131. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 131 of the Complaint.

132. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 132 of the Complaint.

133. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 133 of the Complaint.

134. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 134 of the Complaint.

135. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 135 of the Complaint.

136. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 136 of the Complaint.

137. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 137 of the Complaint.

138. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 138 of the Complaint.

139. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 139 of the Complaint.

140. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 140 of the Complaint.

141. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 141 of the Complaint.

142. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 142 of the Complaint.

143. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 143 of the Complaint.

144. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 144 of the Complaint.

145. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 145 of the Complaint.

146. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 146 of the Complaint.

147. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 147 of the Complaint.

148. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 148 of the Complaint.

149. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 149 of the Complaint.

150. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 150 of the Complaint.

151. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 151 of the Complaint.

152. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 152 of the Complaint.

153. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 153 of the Complaint.

154. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 154 of the Complaint.

155. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 155 of the Complaint.

156. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 156 of the Complaint.

157. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 157 of the Complaint.

158. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 158 of the Complaint.

159. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 159 of the Complaint.

160. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 160 of the Complaint.

161. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 161 of the Complaint.

162. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 162 of the Complaint.

163. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 163 of the Complaint.

164. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 164 of the Complaint.

165. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 165 of the Complaint.

166. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 166 of the Complaint.

167. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 167 of the Complaint.

168. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 168 of the Complaint.

169. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 169 of the Complaint.

170. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 170 of the Complaint.

171. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 171 of the Complaint.

172. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 172 of the Complaint.

173. Denies the allegations set forth in paragraph 173 of the Complaint.

174. Denies the allegations set forth in paragraph 174 of the Complaint.

175. Denies the allegations set forth in paragraph 175 of the Complaint.

176. Denies the allegations set forth in paragraph 176 of the Complaint.

177. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 177 of the Complaint.

178. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 178 of the Complaint.

179. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 179 of the Complaint.

180. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 180 of the Complaint.

181. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 181 of the Complaint.

182. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 182 of the Complaint.

183. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 183 of the Complaint.

184. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 184 of the Complaint.

185. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 185 of the Complaint.

186. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 186 of the Complaint.

187. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 187 of the Complaint.

188. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 188 of the Complaint.

189. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 189 of the Complaint.

190. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 190 of the Complaint.

191. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 191 of the Complaint.

192. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 192 of the Complaint.

193. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 193 of the Complaint.

194. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 194 of the Complaint.

195. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 195 of the Complaint.

196. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 196 of the Complaint.

197. Denies the allegations set forth in paragraph 197 of the Complaint.

198. Denies the allegations set forth in paragraph 198 of the Complaint.

199. Denies the allegations set forth in paragraph 199 of the Complaint.

200. Denies the allegations set forth in paragraph 200 of the Complaint.

201. Denies the allegations set forth in paragraph 201 of the Complaint.

202. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 202 of the Complaint.

203. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 203 of the Complaint.

204. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 204 of the Complaint.

205. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 205 of the Complaint.

206. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 206 of the Complaint.

207. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 207 of the Complaint.

208. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 208 of the Complaint.

209. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 209 of the Complaint.

210. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 210 of the Complaint.

211. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 211 of the Complaint.

212. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 212 of the Complaint.

213. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 213 of the Complaint.

214. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 214 of the Complaint.

215. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 215 of the Complaint.

216. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 216 of the Complaint.

217. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 217 of the Complaint.

218. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 218 of the Complaint.

219. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 219 of the Complaint.

220. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 220 of the Complaint.

221. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 221 of the Complaint.

222. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 222 of the Complaint.

223. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 223 of the Complaint.

224. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 224 of the Complaint.

225. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 225 of the Complaint.

226. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 226 of the Complaint.

227. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 227 of the Complaint.

228. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 228 of the Complaint.

229. Denies knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraph 229 of the Complaint.

230. Defendant states that the statement in paragraph 230 of the Complaint is incomplete, and one which no response is needed. To the extent a response is required, denies the allegations.

231. Denies the allegations set forth in paragraph 231 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

232. Denies the allegations set forth in paragraph 232 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

233. Denies the allegations set forth in paragraph 233 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

234. Denies the allegations set forth in paragraph 234 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

235. Denies the allegations set forth in paragraph 235 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

236. Denies the allegations set forth in paragraph 236 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

237. Denies the allegations set forth in paragraph 237 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

238. Denies the allegations set forth in paragraph 238 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

239. Denies the allegations set forth in paragraph 239 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

240. Denies the allegations set forth in paragraph 240 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

241. Denies the allegations set forth in paragraph 241 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

242. Denies the allegations set forth in paragraph 242 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

243. Denies the allegations set forth in paragraph 243 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

244. Denies the allegations set forth in paragraph 244 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

245. Denies the allegations set forth in paragraph 245 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

246. Denies the allegations set forth in paragraph 246 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

247. Denies the allegations set forth in paragraph 247 of the Complaint, except admits that plaintiffs purport to seek relief as stated therein.

FIRST AFFIRMATIVE DEFENSE

248. The Complaint fails to state any claim upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

249. At all relevant times, defendant did not violate any rights, privileges, or immunities under the Constitution or the laws of the United States, the State of New York, or any political subdivision thereof.

THIRD AFFIRMATIVE DEFENSE

250. Any injuries alleged in the complaint were due in whole or in part to the plaintiff's negligent or culpable conduct or the negligent or culpable conduct of parties other than the answering defendant, and were not caused by any act of the defendant.

FOURTH AFFIRMATIVE DEFENSE

251. This action may be barred in whole or in part by the applicable statute of limitations.

FIFTH AFFIRMATIVE DEFENSE

252. At all relevant times, defendant was justified in his actions involving plaintiff.

SIXTH AFFIRMATIVE DEFENSE

253. Defendant is entitled to qualified immunity.

SEVENTH AFFIRMATIVE DEFENSE

254. Defendant is entitled to any setoff applicable under the circumstances of this case.

EIGHTH AFFIRMATIVE DEFENSE

255. Plaintiffs' claims may be barred in whole or in part by the terms of the Prisoner Litigation Reform Act.

WHEREFORE, defendant demands judgment dismissing the Complaint, and such other and further relief as the court may deem just and proper.

Dated: New York, New York
September 28, 2012

KOEHLER AND ISAACS LLP
Attorneys for Defendant
61 Broadway, 25th Floor
New York, NY 10006
917 551 1317

By: _____/s_____
ANDREAS KOUTSOUDAKIS, ESQ. (AK4162)